

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

LAWRENCE SHAFRON,

Plaintiff,

-vs-

AVIVA LIFE AND ANNUITY COMPANY,
et al.,

Defendants.

: CASE NO. 1:11 CV 00732

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: ORDER ADOPTING THE
: MAGISTRATE JUDGE'S REPORT AND
: RECOMMENDATION
:
:
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This matter was referred to United States Magistrate Judge William H. Baughman, Jr., for report and recommendation ("R&R") as to the defendants' motion for judgment on the pleadings and the plaintiff's motion for leave to amend the complaint. (Doc. 45, 48, 50). On 30 January 2014, the Magistrate Judge returned an R&R advising that both motions be granted. (Doc. 55).

Pursuant to 28 U.S.C. § 636(b)(1), this Court makes a *de novo* determination of those portions of the R&R to which a timely objection is made. Because no timely objections have been filed in this instance, the Court adopts Magistrate Judge Baughman's R&R in its entirety. Therefore, the defendants' motion for judgment on the pleadings is granted, and the plaintiff's motion for leave to amend the complaint is

granted. Counsel for the plaintiff is directed to file the amended complaint upon receipt of this order.

IT IS SO ORDERED.

/s/ Lesley Wells
UNITED STATES DISTRICT JUDGE

Date: 21 February 2014